

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 NEA-10 ISO-00 AID-05 CEQ-01 CIAE-00
ERDA-07 COME-00 DODE-00 EB-08 EPA-04 INR-07 IO-13
L-03 NSF-02 NSC-05 NSAE-00 PM-04 USIA-15 SS-15 SP-02
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FM AMEMBASSY PARIS

TO SECSTATE WASHDC 9828

INFO AMEMBASSY ALGIERS

AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY BEIRUT

AMEMBASSY BELGRADE

AMEMBASSY CAIRO

AMEMBASSY DAMASCUS

AMEMBASSY MADRID

AMEMBASSY RABAT

AMEMBASSY ROME

AMEMBASSY TEL AVIV

AMEMBASSY TRIPOLI

AMEMBASSY TUNIS

AMEMBASSY VALLETTA

AMCONSUL NICE

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TAGS: SENV, UNEP, AG, GR, TU, LE, YO, EG, SY, SP, MO,

IT, IS, FR, LY, TS, MT

SUBJECT: INTERGOVERNMENTAL MEETING ON PROTECTION OF THE
MEDITERRANEAN SEA FROM POLLUTION FROM LAND-BASED
SOURCES; ATHENS, 2/7-2/11, 1977

1. SUMMARY. UNEP CONVENED A MEETING OF REPRESENTATIVES
OF SIXTEEN COUNTRIES OF THE MEDITERRANEAN SEA AREA TO
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DRAFT PRINCIPLES CONCERNING A PROTOCOL ON THE PROTEC-
TION OF THE MEDITERRANEAN SEA AGAINST POLLUTION FROM
LAND-BASED SOURCES. THIS MEETING WAS HOSTED BY THE
GOVERNMENT OF GREECE AT ATHENS DURING THE WEEK OF
FEBRUARY 7-11, 1977. THE PROTOCOL WOULD BECOME A
SUBORDINATE DOCUMENT TO THE BARCELONA CONVENTION ON
THE PROTECTION OF THE MEDITERRANEAN SEA FROM POLLUTION,

CONCLUDED FEBRUARY, 1976. THE ATHENS MEETING REVIEWED DRAFT PRINCIPLES PREPARED BY UNEP AND WHO, AGREED TO WORK TOWARD CONCLUDING THE DRAFT PROTOCOL AND ITS ANNEXES BY LATE NOVEMBER, 1977, AT MONACO. THE MEETING PROCEEDED IN EXCELLENT FASHION, WITHOUT OBFUSCATION BY AREA POLITICAL ISSUES, PRODUCED REASONABLE RESULTS FOR A FIRST MEETING ON SUCH A COMPLEX MATTER AND SERVES AS A TRIBUTE TO THE FIN WORK OF THE STAFF OF THE GENEVA OFFICE OF UNEP. END SUMMARY.

2. AT THE BARCELONA CONFERENCE OF PLENIPOTENTIARIES OF SIXTEEN COASTAL STATES OF THE MEDITERRANEAN REGION, FEBRUARY 2-16, 1976, THE CONVENTION FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION WAS COMPLETED TOGETHER WITH TWO SUBORDINATE PROTOCOLS: FOR THE PREVENTION OF POLLUTION OF THE MEDITERRANEAN SEA BY DUMPING FROM SHIPS AND AIRCRAFT; AND CONCERNING COOPERATION IN COMBATTING POLLUTION OF THE MEDITERRANEAN SEA BY OIL AND OTHER HARMFUL SUBSTANCES IN CASES OF EMERGENCY. TO THIS DATE, FIFTEEN MEDITERRANEAN STATES AND THE EUROPEAN ECONOMIC COMMUNITY HAVE SIGNED THE CONVENTION AND AT LEAST ONE OF THE TWO PROTOCOLS AND ONE STATE, SPAIN, HAS RATIFIED THE CONVENTION AND BOTH PROTOCOLS. ARTICLE 8 OF THE CONVENTION BINDS CONTRACTING PARTIES TO TAKE ALL APPROPRIATE MEASURES TO PREVENT, ABATE AND COMBAT POLLUTION OF THE MEDITERRANEAN SEA AREA FROM LAND-BASED SOURCES OF POLLUTION. IN THIS CONNECTION UNEP, WITH THE EXCELLENT ASSISTANCE OF WHO, PREPARED FOR THE ATHENS MEETING EXTENSIVE BACKGROUND UNCLASSIFIED

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MATERIAL AND DRAFT PRINCIPLES WITH THE PURPOSE OF ASSISTING REPRESENTATIVES IN DEVELOPING A PROTOCOL ON LAND-BASED SOURCES OF POLLUTION WHICH WOULD BE FURTHER DEVELOPED AT VARIOUS MEETINGS DURING THE SUCCEEDING MONTHS WITH FINAL NEGOTIATIONS OF THE PROTOCOL HELD DURING THE WEEK OF NOVEMBER 28, 1977, AT MONACO.

3. ON THE BASIS OF THIS PRELIMINARY REVIEW, THE DRAFT PROTOCOL ON LAND-BASED SOURCES COVERS THE AREA OF THE MEDITERRANEAN SEA INCLUDING WATERS ON THE LANDWARD SIDE OF THE BASE LINES FROM WHICH THE BREADTH OF THE TERRITORIAL SEA IS MEASURED EXTENDING, IN CASES OF WATER COURSES, UP TO THE FRESH WATER LIMIT. THE PROTOCOL APPLIES TO ALL POLLUTING DISCHARGES EMANATING FROM TERRITORIES OF THE PARTIES DIRECTLY FROM ESTABLISHMENTS, THROUGH LAND RUN-OFF, THROUGH RIVERS AND CANALS AND OTHER WATER COURSES AND FROM MAN-MADE OFFSHORE STRUCTURES AND THROUGH THE ATMOSPHERE. (NOTE: THERE WAS NOT AGREEMENT THAT SOURCES OF POLLUTION

THROUGH THE ATMOSPHERE SHOULD BE INCLUDED IN THIS
PROTOCOL.)

4. THE DRAFT PROVIDES THAT THE PARTIES WOULD UNDER-
TAKE TO DEVELOP PROGRAMS FOR THE PROGRESSIVE REDUCTION
OF POLLUTION LEADING TO THE IMPROVEMENT IN THE
QUALITY OF THE MEDITERRANEAN ENVIRONMENT. THEY WOULD

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INFO AMEMBASSY ALGIERS

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UNDERTAKE STRICT MEASURES TO ELIMINATE SOURCES OF
POLLUTION INHIBITING THE USES OF THE MEDITERRANEAN SEA,
AND AGREE TO A SPECIFIC TIMETABLE AND STANDARDS FOR

EMISSION CONTROL. THE SUBSTANCES LISTED IN ANNEX 1 ARE, IN GENERAL, TOXIC, PERSISTENT AND NON-BIODEGRADABLE SUBSTANCES, WHICH WOULD BE ELIMINATED ON AN AGREED TIME SCHEDULE. SUBSTANCES IN ANNEX 2 WOULD BE LIMITED, UNCLASSIFIED

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THOUGH PERHAPS NOT ELIMINATED, ON A STRICT, MUTUALLY AGREED TIMETABLE. ANNEX 3 WOULD BE A LIST OF CRITERIA OR STANDARDS DETERMINING WHAT SUBSTANCES COULD BE DISCHARGED INTO THE MEDITERRANEAN ON A REGULAR OR LONG-TERM BASIS. AFTER SOME SPECIFIC NUMBER OF YEARS AFTER THE PROTOCOL COMES INTO EFFECT, ANY NEW INSTALLATION WOULD BE REQUIRED TO MEET STRICTER REQUIREMENTS OUTLINED IN ANNEX 5.

5. THE PARTIES WOULD AGREE TO ESTABLISH SPECIALLY PROTECTED AREAS, TO ESTABLISH MUTUALLY COMPATIBLE MONITORING PROGRAMS, TO UNDERTAKE COOPERATION IN APPROPRIATE SCIENTIFIC AND TECHNOLOGICAL FIELDS AND TO ASSIST DEVELOPING COUNTRIES OF THE AREA IN SCIENCE, EDUCATION, TECHNOLOGY AND TRAINING. WHEN IT CAME TO WATER COURSES SHARED BY SEVERAL STATES, THE PARTIES ENDEAVORED TO TAKE APPROPRIATE MEASURES TO MINIMIZE POLLUTION EFFECTS TO THE MEDITERRANEAN SEA. THE PARTIES WOULD ENSURE THAT THEIR DISCHARGES WOULD NOT HARM THE INTERESTS OF OTHER PARTIES AND THAT THEY WOULD ENDEAVOR TO EXCHANGE INFORMATION THROUGH THE ORGANIZATION ACTING AS THE PROTOCOL SECRETARIAT (UNEP). THIS PROTOCOL WOULD FOLLOW THE APPROPRIATE GENERAL PROVISIONS OF THE PARENT CONVENTION: RATIFICATION BY SIX STATES WILL BRING THE PROTOCOL INTO FORCE.

6. MUCH OF THE DISCUSSION DURING THE MEETING APPEARED TO BE SETTLED ON THE AXIS OF DEVELOPED VS DEVELOPING COUNTRIES. HOWEVER, THE ISSUE OF THE REQUIREMENTS FOR NEW INSTALLATIONS BROUGHT OUT THE INTERESTING ASPECT THAT SOME DEVELOPING COUNTRIES WISHED NEW INSTALLATIONS TO MEET VERY STRICT CONDITIONS WHILE OTHER DEVELOPING COUNTRIES WANTED TO PERMIT NEW TOURISM-ASSOCIATED SOURCES OF POLLUTION WITH MINIMUM CONTROLS. THE DEVELOPED COUNTRIES EXPRESSED CONCERN FOR THE CAPABILITIES WITHIN THEIR COUNTRIES OF ESTABLISHED SOURCES UNCLASSIFIED

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OF POLLUTION TO ECONOMICALLY BE ABLE TO MEET ESTABLISHED TIME SCHEDULES FOR REDUCING POLLUTION TO THE MEDI-

TERRANEAN SEA. ALL COUNTRIES APPEARED TO BE INTERESTED IN DOING WHAT THEY PRACTICABLY COULD AFFORD TO ACCOMPLISH TOWARDS MINIMIZING MEDITERRANEAN SEA POLLUTION. THERE WAS LITTLE OBJECTION TO THE CONCEPT OF THIS PROTOCOL AND ITS PRINCIPAL OBJECTIVES OF LATER ESTABLISHING AN AGREED TIME SCHEDULE FOR THE GRADUAL ABATEMENT OF CONTRIBUTIONS OF POLLUTIONS TO THE MEDITERRANEAN SEA.

7. THE PARTICIPANTS AGREED NOT TO INCLUDE OTHER STATES WHO MAY ACTUALLY BE INVOLVED IN THE EFFECTIVE MANAGEMENT OF POLLUTION INTRODUCED TO THE MEDITERRANEAN AREA ON THE BASIS OF THE FRESH WATER LIMIT DEFINITION OF THE EXTENSION OF THE AREA COVERED BY THE PROTOCOL. MOST FELT THAT ANY ADDITIONAL STATES INVOLVED BY SUCH A DEFINITION SHOULD BE INVITED TO ADHERE TO THE PROTOCOL AFTER IT CAME INTO EFFECT. NO MENTION WAS MADE OF ANY OF THE CURRENT LAW OF THE SEA ISSUES AND NO OBJECTION WAS RAISED TO THE PERFORMANCE OF THE GOVERNMENT OF SPAIN AS DEPOSITORY STATE FOR THE PARENT CONVENTION AND THE EXISTING AND TO-BE-DEVELOPED PROTOCOLS.

8. DURING THE MEETING, LITTLE ATTENTION WAS GIVEN TO THE TECHNICAL ASPECTS OF THE ANNEXES; ALTHOUGH, SPAIN MADE A SPECIFIC ISSUE OF CONTRIBUTING ITS VIEW ON THE CONTENTS OF ARTICLE 1: ARTICLE 1 SHOULD BE LIMITED TO NON-BIODEGRADABLE, TOXIC, PERSISTENT SUBSTANCES AS WELL AS OBSTRUCTIONS TO OTHER USES OF THE MEDITERRANEAN SEA SUCH AS FLOATING DEBRIS, BUT NOT INCLUDE ALL PETROLEUM PRODUCTS.

9. IT WAS AGREED THAT UNEP WITH THE ASSISTANCE OF WHO WOULD PREPARE BACKGROUND INFORMATION FOR USE BY REPRESENTATIVES OF THE GOVERNMENTS AT A MEETING OF EXPERTS
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TO BE HELD DURING THE WEEK OF OCTOBER 17 AT VENICE AND THAT THE RESULTS OF THAT MEETING WOULD BE CIRCULATED TO GOVERNMENTS FOR THEIR STUDY AND A MEETING AT MONACO BEGINNING NOVEMBER 28, 1977, WOULD BE HELD TO CONCLUDE THE WORK ON THE PROTOCOL.

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FM AMEMBASSY PARIS
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AMEMBASSY MADRID
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10. COMMENT. THE ABSENCE OF MEDITERRANEAN AREA
POLITICAL ISSUES WAS COMPLETE, AMAZING IN ITSELF AND
PLEASANT TO REALIZE. THE UNEP GENEVA OFFICE HAS MATURED
IN THE PAST TWO TO THREE YEARS IN WORKING WITH MEDI-
TERRANEAN AREA DRAFT PROTOCOLS ON POLLUTION ABATEMENT
AND HANDLED THE PREPARATORY WORK AND CONDUCT OF THE
MEETING IN EXCELLENT FORM. WHILE A ONE-YEAR PERIOD TO
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CONCLUDE SUCH A PROTOCOL IS RATHER SHORT AND THE SUBJECT
OF LAND-BASED SOURCES ONE OF THE MORE COMPLEX ISSUES
IN LARGE WATER BODY POLLUTION CONTROL, IT WOULD APPEAR
PROBABLE THAT THE PARTICIPATING STATES WOULD MAKE THEIR

BEST EFFORTS TO COMPLETE SUCH WORK ON SCHEDULE. THE DESIGN OF THE PROTOCOL IS SUCH THAT ADHERING STATES ONLY AGREE TO PARTICIPATE IN THE DEVELOPMENT OF AND THEN ABIDE BY AN AGREED PROGRAM FOR POLLUTION ABATEMENT AND CONTROL. IN REALITY, THE HARD BARGAINING COMES AFTER THE ESTABLISHMENT OF THE PROTOCOL WHEN THE PARTIES SIT DOWN AND TRY TO DEFINE POLLUTION LEVEL STANDARDS AND A SPECIFIC TIMETABLE WHICH HAS SOME REASONABLE CHANCE OF COPING WITH THE MOUNTING PROBLEMS OF POLLUTION IN THE MEDITERRANEAN SEA. PRESS COVERAGE OF THE CONFERENCE WAS REASONABLE AND FAIR AND SERVED TO ALERT A GOOD PERCENTAGE OF THE POPULACE OF THE NORTHERN STATES OF THE MEDITERRANEAN SEA OF THE EFFORTS OF THE CONFERENCE AND THE EXPECTED RESULTS IF FUTURE WORK IS CONSISTENT WITH THE EXPECTATIONS AT THE MEETING.

11. THE WORKING DOCUMENTS OF THE MEETING ALONG WITH THE COMPENDIUM OF LEGISLATION CONCERNING CONTROL OF LAND-BASED SOURCES OF POLLUTION OF THE MEDITERRANEAN SEA BY THE BORDERING STATES HAVE BEEN SENT TO THE DEPARTMENT, TO THE ATTENTION OF OES/ENP/EN, DONALD R. KING.
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Message Attributes

Automatic Decaptioning: X
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